

LABEL IN PART: (Pkg.) "UKANEATA Sandwich Pie Net Weight 1¼ Ozs."; "Dortch's Ukanata Sandwich Cake LUNCH CAKE Net Wt. 1¼ Oz."; and "Dortch's Vanilla Wafers Net Weight 3 Oz."

CHARGE: 402(a) (3)—contained insect parts and rodent hair fragments; and 402(a) (4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 3-9-59. Corporation—\$1,000 fine; Dudley Dortch, Jr.—\$125 fine; Garvice Prince—\$50 fine.

25352. Bread. (F.D.C. No. 41763. S. Nos. 6-986 P, 6-988 P, 6-990/91 P, 6-994/7 P.)

INFORMATION FILED: 12-16-58, Dist. Mass., against My Own Quality Bakery, Inc., Fall River, Mass., and Israel Lipson, treasurer.

SHIPPED: Between 3-25-58 and 4-4-58, from Massachusetts to Rhode Island.

LABEL IN PART: (Pkg.) "Lipson's Jewish Rye Bread"; "Lipson's Port Bread"; and "French Bread."

CHARGE: 402(a) (3)—contained rodent hair fragments; and 402(a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-16-59. Individual—fined \$500; corporation—fined \$1.

25353. Chocolate cookies. (F.D.C. No. 42912. S. No. 4-289 P.)

QUANTITY: 24 cases, 24 bags each, at Landover, Md.

SHIPPED: 2-20-59, from Joplin, Mo., by Guthrie Biscuit Co.

LABEL IN PART: (Bag) "Busy Baker Pure Chocolate Fudge Sandwich Net Wt. One Full Pound * * * Distributed by Safeway Stores Incorporated * * * Oakland, California. Ingredients: Flour, Shortening, Sugar, Cocoa, Invert Syrup, Nonfat Dry Milk Solids, Malt, Hard Vegetable Butter, Salt Leavening, Lecithin, Artificial Flavors."

LBELED: 3-31-59, Dist. Md.

CHARGE: 402(b) (1)—when shipped, a valuable constituent, chocolate, had been in whole or in part omitted from the article; 402(b) (2)—cocoa had been in whole or in part substituted for chocolate; 403(a)—the label statement "Pure Chocolate Fudge" was false and misleading; 403(f)—the statement of ingredients was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; and 403(i) (2)—the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since "hard vegetable butter" is not the common or usual name of this shortening ingredient.

DISPOSITION: 4-29-59. Default—delivered to local charitable institutions.

25354. Chocolate cream pie. (F.D.C. No. 42841. S. No. 47-574 P.)

QUANTITY: 18 cases, 6 individually cartoned pies each, at Watertown, Mass.

SHIPPED: 1-13-58, from Wethersfield, Conn., by Farm House Frozen Pies, Div. Connecticut Pie Baking Co., Inc.

LABEL IN PART: (Ctn.) "Farm House * * * Chocolate Cream Pie * * * Net Wt. 1 Lb."

LIBELED: 2-13-59, Dist. Mass.

CHARGE: 402(a)(3)—contained mold filaments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-16-59. Default—destruction.

25355. Frozen fruit pies. (F.D.C. No. 42649. S. Nos. 11-580 P, 47-018/20 P.)

QUANTITY: 273 cases, 6 apple pies each; 49 cases, 6 peach pies each; 33 cases, 6 cherry pies each; and 77 cases, 6 blueberry pies each, at Milwaukee, Wis.

SHIPPED: 11-7-58, from Webster City, Iowa, by Morton Frozen Foods, Div. Continental Baking Co.

LABEL IN PART: (Ctn.) "Net Wt. 1 lb. 8 oz. Morton Family Size Frozen * * * Pie Now Butter in the Crust."

LIBELED: 12-22-58, E. Dist. Wis.

CHARGE: 403(a)—when shipped, the label statement "Butter in the Crust" was false and misleading as applied to the article which contained little or no butter in the crust.

DISPOSITION: 1-30-59. Consent—claimed by Continental Baking Co. and re-labeled.

25356. Frozen pecan pies and frozen macaroni and cheese casseroles. (F.D.C. No. 42824. S. Nos. 47-576/7 P.)

QUANTITY: 213 cases, 6 ctns. each, of frozen pecan pies, and 249 cases, 12 ctns. each, of frozen macaroni and cheese casseroles, at North Abington, Mass.

SHIPPED: 1-12-59, from Wethersfield, Conn., by Farm House Frozen Pies, Div. Connecticut Pie Baking Co., Inc.

LABEL IN PART: (Ctn.) "Frozen Pecan Pie * * * Farm House Frozen Pies Div. Connecticut Pie Baking Co., Inc., * * * Net Weight 1 Lb. 2 Oz. or over," and "One Full Pound Farm House Frozen Macaroni and Cheese Casserole * * * Farm House Frozen Pies Div. Conn. Pie Baking Co., Inc."

LIBELED: 2-9-59, Dist. Mass.

CHARGE: 403(e)(2)—when shipped, the articles failed to bear a label containing an accurate statement of the quantity of contents (the articles were short weight); 403(f)—the statement of ingredients (both lots), and the quantity of contents statement (pecan pie), were not placed on the labels with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render them likely to be read and understood by the ordinary individual under customary conditions of purchase and use; and 403(i)(2)—(macaroni and cheese) the label failed to bear the common or usual name of each ingredient contained therein since starch was not declared.

DISPOSITION: 3-16-59. Default—delivered to a charitable institution for its use and not for sale.

CORNMEAL*

25357. Cornmeal. (F.D.C. No. 42417. S. Nos. 16-914/5 P.)

INFORMATION FILED: 2-24-59, S. Dist. Ind., against Bundy Bros. & Sons, a partnership, Medora, Ind., and Leland R. Bundy.

SHIPPED: 8-14-58, from Indiana to Kentucky.

*See also No. 25364.